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Letter dated 20 December 2011 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

I have the honour to forward a letter from Osman Saleh, Minister for Foreign Affairs of the State of Eritrea, dated 19 December 2011, addressed to you, in connection with Security Council resolution 2023 (2011), adopted on 5 December 2011 (see annex).

I would be most grateful if the present letter and its annex could be circulated among the members of the Security Council and issued as a document of the Council.

(*Signed*) Araya **Desta**
Ambassador
Permanent Representative

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Annex to the letter dated 20 December 2011 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

On 5 December 2011, the United Nations Security Council adopted resolution 2023 (2011) to impose expanded and intrusive sanctions against Eritrea. Through its most recent communications to the Security Council, Eritrea has underlined that this resolution is totally unfounded and has no legal basis.

Eritrea has repeatedly highlighted the political and vindictive motives of the United States in ramming through this resolution by ignoring all normative procedures and rules of the United Nations body. This was also the case with resolution 1907 (2009), which the Security Council adopted in December 2009. In both instances, the United States used unfounded accusations against Eritrea that were primarily concocted by its own intelligence agencies and their surrogates while denying it, through transparent schemes, rudimentary rights to a fair hearing and proper legal defence in breach of the established principle of "equality of arms". The United States resorted to dilatory methods to effectively block the legitimate request of Eritrea's Head of State to address the Security Council, and when it finally relented at the last hour, it made sure through unacceptable ultimatums and arrangements that this would not happen.

Security Council resolution 2023 (2011) will entail, at least in the short term, negative consequences for Eritrea's tenacious pursuit of nation-building rooted in the twin pillars of economic development and social justice. It will also aggravate regional polarization and further undermine regional peace and security. But the biggest casualty of this unwarranted resolution is international justice and legality. The Security Council, which derives its legitimacy and moral authority through the trust placed upon it by the world community of nations to safeguard international peace and security, ought to honour its solemn obligations. For the third time in half a century, Washington has been allowed to use its influence to unfairly punish a small people at the expense of justice and peace.

The discomfort of many Security Council members, including those who voted in support of the resolution, at this state of affairs was indeed evident in their official statements as well as in their private commiserations to the Eritrean delegation to the United Nations. In this respect, Eritrea acknowledges, with due gratification, the efforts of many Security Council members, and especially those of the Russian Federation, the People's Republic of China and the Republic of South Africa, to instil a sense of proportion and balance in the workings of the Security Council and for reason to prevail, even though it believes that much more could have been done to scrap the resolution altogether.

Through its various communications to the Security Council, Eritrea had demonstrated the procedural and substantive flaws of resolution 1907 (2009) during and after its adoption in December 2009. Eritrea also provided comprehensive responses exposing the fallacy of the myriad and unfounded accusations heaped against it by the "Somalia Eritrea Monitoring Group". Eritrea remains dismayed that its sincere explanations have not been accorded the serious considerations that they merit by the Security Council.

Eritrea strongly deplores the dangerous precedent that is being set, in which the fundamental right of self-defence of a United Nations Member State is not

upheld and critical decisions by the Security Council, with far-reaching consequences on the livelihood and destiny of a people, are reduced to crude power and number games. While fundamentally disheartened by the prevailing trend, and even as it does not harbour great hopes that this present letter will fare any better, Eritrea feels duty-bound to describe its position and perspectives on resolution 2023 (2011) and appeal again to Security Council members to redress the wrongs they have unjustly meted out to the people of Eritrea. In this spirit, Eritrea will highlight, in a condensed manner, the legal and factual fallacies embedded in key paragraphs of resolution 2023 (2011).

1. Respect for Eritrea's sovereignty, territorial integrity, unity and political independence

In the second preambular paragraph of resolution 2023 (2011) the Security Council reaffirms "its respect for the sovereignty, territorial integrity, and political independence and unity of Somalia, Djibouti and Eritrea, respectively, as well as that of all other States of the region". This is consistent with the general purposes and principles as well as Article 2 (1) of the Charter of the United Nations. But in the case of Eritrea, has this commitment been truly respected? Or, has it been inserted as a mere platitude, while in reality it is at variance with the facts? Eritrea maintains that the latter is indeed the case for the following cogent reasons:

Eritrea's sovereignty and territorial integrity remain violated by Ethiopia, which continues to occupy the Eritrean town of Badme and other sovereign areas in breach of the Algiers Peace Agreement, and, Articles 2 (3), 2 (4) and 33 of the Charter of the United Nations. After years of United States-instigated prevarication and obstruction by Ethiopia, the Eritrea-Ethiopia Boundary Commission notified the Security Council, through its report dated 25 August 2008 (see S/2008/630), that it had fulfilled the mandate given to it and considered itself "*functus officio*". In the same letter, the Commission "reaffirmed the considerations of fact and the statements of law set out in its Statement, and emphasized that the Delimitation Decision of April 2002 and the Statement of 27 November 2006 remained binding on the parties". The Commission further asserted that "on 17 January 2008, a copy of the maps illustrating the points identified in the annex to the 27 November 2006 Statement was deposited with the Secretary-General of the United Nations. Another copy for public reference has been retained in the office of the United Nations Cartographer".

But while these are the facts, the Security Council continues to be impeded from demanding Ethiopia to withdraw, owing to protective United States clout. Indeed, while inordinately chastising Eritrea on account of a dispute with Djibouti, which is still under a mediation process, resolution 2023 (2011) keeps mum on Ethiopia's violations of Eritrea's sovereignty and territorial integrity. On the contrary, there is an oblique reference to the matter in the fourth preambular paragraph, in which the Security Council calls upon "all States in the region to peacefully resolve their disputes and normalize their relations in order to lay the foundations for durable peace and lasting security in the Horn of Africa", and encourages "these States to provide the necessary cooperation to the African Union in its efforts to resolve these disputes".

One might be tempted to presume that this paragraph is inserted in exclusive reference to other border disputes in the Horn of Africa. On the other hand, the vague and opaque language may have been deliberately chosen for sinister purposes. This is in fact reinforced by paragraph 2 of resolution 2023 (2011), in which the Security Council "supports the call by the African Union for Eritrea to resolve its border disputes with its neighbours and calls on the parties to peacefully resolve their disputes, normalize their relations and to promote durable peace and lasting security in the Horn of Africa, and encourages the parties to provide the necessary cooperation to the African Union in its efforts to resolve these disputes".

As Eritrea's border dispute with Djibouti is subsequently addressed in paragraphs 4 and 5 of the resolution, it is clear that paragraph 2 is referring, in a rather surreptitious manner, to the Eritrea-Ethiopia border issue only. It represents disregard of the final delimitation and demarcation decisions of the Eritrea-Ethiopia Boundary Commission, which has the sole jurisdiction for determining the boundary on the basis of the colonial treaties and international law (articles 4.1 and 4.2 of the Algiers Peace Agreement). It should be stressed that article 4.15 of the Algiers Peace Agreement stipulates that the delimitation and demarcation decisions of the Commission are final and binding on the parties and that each party shall respect the border so determined, as well as the territorial integrity and sovereignty of the other party. The Eritrea-Ethiopia border dispute, which is now a question of occupation, is a closed file legally, and the Security Council cannot pass the buck to the African Union through semantic somersaults. Its tolerance of Ethiopian occupation with impunity does not square well with its avowed commitments to respect the sovereignty and territorial integrity of Eritrea, as the paragraph in the preamble asserts in a categorical mode.

Eritrea's political independence has not been respected in resolution 1907 (2009) and its sequel, resolution 2023 (2011). The punitive measures that the United States has been avidly pursuing for years now have nothing to do with a genuine concern for the maintenance of peace and security in the Horn of Africa. They do not emanate from a sincere United States belief that Eritrea is really involved in wanton acts of terror or destabilization against its neighbours. The United States obsessive hostilities against Eritrea stem from its intolerance of Eritrea's right to political independence on matters that affect its vital interests, and from the fact that Eritrea has not kowtowed to United States policy preferences and *diktat* principally with regard to Somalia and Ethiopia. This is amply corroborated by the following excerpts from a WikiLeaks report. In a confidential cable communication from the United States Secretary of State issued on 1 March 2008, the United States mission to the United Nations was instructed to canvass for support from certain Security Council members and United Nations troop-contributing countries for sanctions against Eritrea for its "interference with the United Nations Mission in Ethiopia and Eritrea (UNMEE), particularly its recent refusal to reinstate fuel supplies to the Mission". The cable states: "potential options include, imposing a travel ban on key Eritrean Government officials; placing an assets freeze on these same officials and/or other Eritrean assets/resources; imposing trade, investment or other restrictions related to Eritrean resources, including mining; imposing an arms embargo on Eritrea".

2. Eritrea's alleged support to armed opposition groups

In the seventh preambular paragraph and paragraph 1 of resolution 2023 (2011), the Security Council expresses "grave concern at the findings of the Somalia/Eritrea Monitoring Group report" and condemns Eritrea for "providing continued support to armed opposition groups, including Al-Shabaab, engaged in undermining peace and reconciliation in Somalia and the region".

As Eritrea has elucidated extensively in its reply of 20 October 2011, the findings of the "Somalia Eritrea Monitoring Group" cannot be taken by the Security Council at face value without rigorous verification and scrutiny. By its own admissions, the Monitoring Group has collated its reports from "foreign law enforcement agencies", "active Eritrean Government contacts", "former military or diplomatic officials" and "Eritrean individuals directly involved in people smuggling operations". Again, by its own admissions, its methodology of evidence collection and validation does not meet judicial standards. This is grossly compounded by the tacit and overt political interference of the United States. This much is indeed echoed in the statements of the Republic of South Africa and the Russian Federation, among others, which warn against the politicization of the work of the Monitoring Group and its rash and unfounded conclusions, critical themes that we shall revert to later.

As far as the true facts are concerned, Eritrea wishes to reiterate and emphasize the following salient points.

- The war in Somalia was not sparked, and is not fuelled, by Eritrea's military and/or financial support to Al Shabaab or other warring factions in the country. Eritrea has neither the political will or interest, nor the financial wherewithal and logistical capabilities, to keep Somalia ablaze. Eritrea does not have any political affiliations or sympathy towards Al Shabaab, which does not, in any case, require any assistance from it. Eritrea is indeed unresponsive to anachronistic political Islam or other faith-based political ideologies, wherever they are espoused or practised and irrespective of their "radical" or "moderate" labels, because it is firmly convinced that these sectarian approaches are not a panacea and will not bring about solutions to complex political and societal problems. These facts are well known to the United States, Ethiopia and other detractors of Eritrea. They have nonetheless chosen to keep and revive the lie at every instance to advance other ulterior motives. The recent fabricated allegations, this time using Kenya as the principal mouthpiece, accusing Eritrea of sending three planeloads of weapons to Al Shabaab, and previous charges against Eritrea for sending 2,000 troops to Somalia, are all part and parcel of the same political jigsaw. We must also recall that previous reports of the Somalia Monitoring Group had accused a number of countries, including Ethiopia, Yemen, Libya and Qatar for violations of the arms embargo, albeit with some caveats and qualifications. But from early on, the United States decided to zero in the sanctions radar on Eritrea and Eritrea alone. As we have explained in detail in our reply to the "Somalia Eritrea Monitoring Group report", the financing that Eritrea is accused of to "individuals linked to Al Shabaab" runs into a few hundred thousand dollars. Eritrea is not, indeed, engaged in the business of squandering public money. Furthermore, by its own admissions, the Monitoring Group has acknowledged that Al Shabaab obtains annual revenues, from taxation, piracy, etc., running into over half a billion

dollars. That Al Shabaab obtains its arms from the Transitional Federal Government and other black market sources in Somalia is also acknowledged by the Monitoring Group. So the case against Eritrea is a real red herring. Furthermore, what is conveniently downplayed in this whole affair is the fact that Somalia's sovereignty and territorial integrity continue to be constantly breached by various actors for a variety of reasons.

- Eritrea had explained in detail in its reply to the "Somalia Eritrea Monitoring Group report" the genesis and nature of low-intensity conflicts that stalk the Horn of Africa region. The complex web of relations that exist between armed opposition movements and Governments in the Horn are decades old. They are not spawned by current realities and were never the principal causes of the major conflagrations and mayhem that have afflicted the region in the past years: the Eritrea-Ethiopia border war; the 20-year-old internal conflict in Somalia and the wars in the Sudan. To ignore these realities and depict Eritrea as the primary culprit is therefore factually wrong and morally untenable. In this sense, paragraph 7 of resolution 2023 (2011) in which the Council "demands Eritrea to cease all direct and indirect efforts to destabilize States, including through financial, military, intelligence and non-military assistance, such as the provision of training centres, camps and other similar facilities for armed groups, passports, living expenses, or travel facilitation" represents part and parcel of the smear campaign peddled in order to portray Eritrea in a certain light. Abetted and encouraged by United States intelligence agencies, the Ethiopian regime continues, for instance, to provide military, financial, political and diplomatic support to several armed Eritrean opposition movements to date, as evidenced, among other things, by the subversive conference it hosted in Awasa, Ethiopia, early this month. Furthermore, Eritrea's fundamental precepts and commitments to a regional policy of a safe and cooperative neighbourhood have been explained in detail in its reply to the "Somalia Eritrea Monitoring Group report".

3. Arms embargo on Eritrea

Paragraph 8 of resolution 2023 (2011) "calls upon all States, in particular States of the region, in order to ensure strict implementation of the arms embargo established by paragraphs 5 and 6 of resolution 1907 (2009), to inspect in their territory, including seaports and airports, in accordance with the national authorities and legislation and consistent with international law, all cargo bound to or from Eritrea, if the State concerned has information that provides reasonable grounds to believe that the cargo contains items the supply, sale, transfer or export of which is prohibited by paragraphs 5 or 6 of resolution 1907 (2009) ...".

In the first place, such ambiguous language, which confers much discretionary authority to hostile parties, does not augur well for regional harmony and stability. In so doing, resolution 2023 (2011), in fact, introduces new elements and sows the seeds of potential regional friction and conflict. On a more substantive level, the potential regional imbalance that it purports to create through its asymmetric approach is legally and practically untenable, exacerbating rather than abetting potential conflicts. For reasons better known to it, the United States has contributed to a greater militarization of the Horn of Africa region through its recent actions. In addition to its military base in Camp Lemonier in Djibouti, Washington has established a new Air Force base for its drones in Ethiopia in the past months. In

exchange for these and other related programmes, United States military assistance to many countries in the region has increased significantly in recent years. In the case of Ethiopia, in particular, the regime is currently engaged in a military shopping spree with recent purchases of tanks and other arms. This is greatly subsidized by the billions of dollars that the World Bank, the European Union and other donors are extending to the country, largely through United States prodding, on an annual basis in direct budgetary or other fungible assistance. As may be recalled, the United States had even gone to the extent of waiving its arms embargo against North Korea to allow, on an exceptional basis, a consignment of arms to Ethiopia in 2007.

So what is the rationale behind this obsession against Eritrea's "potential purchase of arms" for its own self-defence in the context of a regional environment of heightened militarization? Eritrea wishes to highlight this dimension of the equation, not because it has an appetite for militarization, but simply in order to expose the designs of the architects of resolution 2023 (2011). Eritrea also wishes to reiterate that, in legal terms, it is entitled to acquire weapons of self-defence in accordance with Article 51 of the Charter of the United Nations. The Security Council cannot have it both ways: tolerate the illegal occupation, with tacit United States support, of sovereign Eritrean territory by a belligerent neighbour, on the one hand, while, at the same time, imposing a one-sided arms embargo on Eritrea.

4. Prevention of diaspora tax

The levying of various taxes is surely the prerogative and sovereign right of any country and an exclusive matter that concerns its citizens alone. Paragraphs 10 and 11 of resolution 2023 (2011) not only contravene these norms, but are replete with such offensive language and gross factual errors that Eritrea is dumbfounded to figure out why this rather ordinary and innocuous practice is seen as an object of hate and fear by the United States and Ethiopia in the first place. In this regard, it is interesting to note that the Clinton Administration was seriously exploring ways and means of curbing the diaspora tax and remittances through unilateral measures as early as 1999 during the border war between Eritrea and Ethiopia.

Eritrea has never used the diaspora tax to "destabilize the Horn of Africa region or … for purposes such as procuring arms and related materiel for transfer to armed opposition groups" as paragraph 10 of resolution 2023 (2011) presumes. Curiously enough, the limited revenues that accrue from this provision have been mystified and exaggerated beyond proportion. But irrespective of the actual amount, it must be underlined that the legality of the tax is robust and beyond any reproach. The domestic legislation that created the tax is non-controversial; the social objective noble; and, standing at 2 per cent, the amount is not onerous by any standards. As the proceeds of this tax are funnelled towards providing a social cushion for the dependants of martyrs of war and/or for national reconstruction and development, the individual contributions ought to be eligible for tax deduction in the host countries that allow similar provisions for charitable purposes. In any case, it should not constitute a cause for official scorn or witch-hunting. And least of all, the United States cannot be hypocritical to cry foul and prevent Eritrea from collecting any tax from its citizens. The United States in fact levies full income tax on its citizens abroad. To this end, it routinely utilizes unorthodox means, including divulgence by foreign banks of accounts held by United States nationals via the Qualified Intermediary Programme; court summons issued by the United States

Department of Justice to foreign banks; international conventions that support the issuance of administrative subpoenas upon wealthy Americans; and bilateral agreements with individual countries to solicit their assistance in both criminal and civil tax investigations by the Internal Revenue Service to assess and ascertain the amount of collectable individual income tax.

Eritrea does not use "extortion, threats of violence, fraud and other illicit means to collect taxes" from the diaspora as paragraph 11 asserts mendaciously on the basis of the false report of the "Somalia Eritrea Monitoring Group". All Governments pursue appropriate and legally specified enforcement measures to regulate tax evasion. By the same token, Eritrea has put in place explicit enforcement measures relating to domestic legal services such as real estate property entitlements, etc., that are withheld from those who fail to meet their fiscal obligations. These measures cannot be misconstrued as extrajudicial by any stretch of imagination, and Eritrea has never tried to implement them extraterritorially. It is therefore sad that the Security Council credulously accepts the distorted version of the Monitoring Group without a modicum of validation.

Paragraph 11 further threatens law-abiding Eritrean citizens who reside in various countries with arbitrary legal action by the host countries "for acting, officially or unofficially, on behalf of the Eritrean Government or the PFDJ contrary to the prohibitions imposed in this paragraph and the laws of the States concerned". This is witch-hunting in its crudest form. Eritrean nationals residing abroad are not involved in collecting the diaspora tax as agents of the Eritrean Government. The People's Front for Democracy and Justice (PFDJ) has no statutory authority and has never collected diaspora tax on behalf of the Government. The report of the "Somalia Eritrea Monitoring Group" that speculates on these alleged practices has based its conclusions on innuendo and false information deliberately peddled by Eritrea's arch-enemies. The United States and Eritrea's other detractors know full well that this is not the case. But all their efforts to drive a political wedge between the Government of Eritrea and the diaspora, all their relentless attempts in the past to win them over and recruit them as "opposition", have failed miserably. They are now resorting to this witch-hunting as a tool of retribution, to intimidate them into submission.

The United States has in fact started to introduce, through the back door, illegal restrictions on Eritreans to obstruct remittances. Under instructions from the State Department, certain banks in the United States have severed their correspondent banking ties with Eritrean banks. These actions cannot be rationalized by resolution 2023 (2011) and constitute gross violations of the rights of these citizens in disposing their income freely without official encumbrance of any sort. Almost all domestic investment laws, as well as international investment protection agreements and conventions, allow the unrestricted repatriation of profits for corporate bodies and remittances for foreign workers for investment purposes in their home country and/or to support their dependants. Emerging United States practices thus constitute a gross violation of these universal rights and practices.

5. Disruption of investments and financial transactions

Paragraphs 12 to 14 of resolution 2023 (2011) emanate from spurious presumptions and stretch them to curb investments in Eritrea or otherwise introduce intrusive "oversights" by the Monitoring Group and hostile Governments in order to

harass Eritrea and derail it from its development drive. Indeed, barely as the maiden revenues from the mining sector have started to accrue to the Government in the third quarter of this year, paragraph 12 of the resolution recommends the imposition of restrictive measures on account of ludicrous presumptions. It thus reads: "[the Security Council] expresses concern at the potential use of the Eritrean mining sector as a financial source to destabilize the Horn of Africa region and calls on Eritrea to show transparency in its public finances, including through cooperation with the Monitoring Group, in order to demonstrate that the proceeds of these mining activities are not being used to violate relevant resolutions ...". In a twisted logic, the burden of proof is transferred from the plaintiff to the accused.

Paragraph 13 further states: "[the Security Council] decides that States, in order to prevent funds derived from the mining sector of Eritrea contributing to violations of resolutions 1844 (2008), 1862 (2009), 1907 (2009) or this resolution, shall undertake appropriate measures to promote the exercise of vigilance by their nationals, persons subject to their jurisdiction and firms incorporated in their territory or subject to their jurisdiction that are doing business in this sector in Eritrea, including through the issuance of due diligence guidelines, and requests in this regard the Committee, with the assistance of the Monitoring Group, to draft guidelines for the optional use of Member States".

The shift of language is baffling. The presumption and concern about "potential use" intimated in paragraph 12 of resolution 2023 (2011) is instantly morphed into a categorical "statement of fact" in paragraph 13 to elicit encumbrances on Eritrea's sovereign budgetary prerogatives. This is not, in fact, the main aim of the architects of the resolution. The intent is to introduce elaborate obstacles to scare off existing and potential foreign investors in the mining sector. In this regard, the serious reservations expressed by the Permanent Representative of the Russian Federation to the United Nations concerning the modality and legality of this provision expose the true intentions of the architects of the resolution, which are not in consonance with the views of other members of the Security Council.

It must be pointed out that Eritrea's record and achievements in the social sectors have been considerable, indeed in spite of the expansive border war with Ethiopia between 1998 and 2000, and numerous adversities and hostilities thereafter. School enrolment has increased by 400 per cent in the past 20 years. Access to tertiary education has increased sixfold in the last eight years, with the opening of several new colleges spatially distributed to advance the Government's commitment to equitable regional development. Education, from kindergarten to tertiary schooling, remains free of all tuition fees, with the Government further shouldering accommodation and other expenses in the higher institutions of learning. In the health sector, morbidity due to malaria was very high, and annual mortality rates hovered around 18,000 deaths in the early years after independence. The Government's intensive programmes have now brought about a veritable turnaround, with mortality rates from malaria reduced to single digits. Polio has been eradicated. Maternal and under-5 child mortality rates have been reduced to 51.3 per cent and 53.7 per cent, respectively. In the past eight years, the Government has built five regional hospitals and a national referral hospital in the capital to supplement the extensive network of health stations and clinics. Delivery of health services, including in-patient treatment, remains largely subsidized in line with the fundamental principle of the right to life of all citizens. The Government continues to provide, free of charge, essential medications to vulnerable groups that are

afflicted by specific chronic illnesses, such as diabetes. The Government has been pursuing these programmes with the requisite vigour and commitment, as they constitute part of its national developmental obligations and priorities.

In regard to social safety nets, the Government continues to allocate a hefty amount of its annual budget, running to more than half a billion Nakfa, for the upkeep of the families of martyrs and the war disabled. In a society where the extended family system is still intact and social cohesion and solidarity are deeply embedded in the national psyche, the Government has strived to maintain the income gap within the bounds of decency and reason. In the public sector, the wage differential stands at 1:8 between the lowest and highest salaries, including the most senior Government officials. (The Gini coefficient for Eritrea, although not computed accurately, remains one of the lowest in the region.)

Public expenditure has not been confined to the social sectors. In a country where the domestic private sector is not yet strong, the Government continues to shoulder the burden of investment in indispensable physical structure to lubricate the conditions for rapid economic growth.

All these facts are well known to Eritrea's detractors. Their main worry is not, indeed, a well-founded fear that increased revenues from mining will be used recklessly by an adventurous Government to "destabilize the Horn". Their main objective is to cripple Eritrea's promising economic development and advance other hostile motives. Paragraphs 12 to 14 of resolution 2023 (2011), which extend the encumbrances in mining to financial and insurance services, are primarily designed to render the investment climate in Eritrea dysfunctional to precipitate an economic crisis in the country as a prelude to political instability and chaos. They are also designed to empower the "Eritrea Somalia Monitoring Group" with wide powers of intervention and intrusion in order to establish a case for further strengthening of the sanctions, as we illustrate below.

6. Expanded mandate of the Monitoring Group

In its reply of 20 October this year, Eritrea has drawn attention to the obvious political bias and lack of professionalism, impartiality and objectivity of the Monitoring Group in discharging its duties. As Eritrea demonstrated with specific instances, the members of the Monitoring Group appeared to go to unprecedented lengths to wage a crusade against the Government of Eritrea, the People's Front for Democracy and Justice, respectable and law-abiding members of the Eritrean community in the diaspora, as well as foreign friends of Eritrea, including some honorary councils.

Eritrea's reservations have in fact been acknowledged by important members of the Security Council. In his remarks after the vote, Ambassador Mashabane of the Republic of South Africa stated: "We call on the Monitoring Group to execute its responsibilities and mandate emanating from resolution 1907 (2009) and from this resolution with professionalism, impartiality and objectivity. The Monitoring Group should never be influenced by political considerations outside of its mandate. It is important for the Monitoring Group to closely guard its independence and professionalism in the work it does to assist the Security Council with the implementation of those measures. Equally, we call upon members of the Security Council to desist from any temptation to use the Monitoring Group for political ends". In the same vein, the Ambassador of the Russian Federation and rotating

President of the Security Council lamented: "The text of the resolution contains a range of provisions that lack adequate foundation, and the role of the group of experts has been expanded beyond measure. In that respect, we refer in particular to the 'planned terrorist attack' in Addis Ababa during the African Union summit there. The Russian Federation is categorically against terrorism in all its forms and manifestations. However, in this case, the Security Council was not presented with convincing proof of Eritrea's involvement in that incident".

The Monitoring Group's lack of objectivity, professionalism and political bias against Eritrea is not a recent phenomenon. As may be recalled, the Monitoring Group had falsely asserted that Eritrea had deployed 2,000 troops in 2006 when its mandate was restricted to Somalia. In spite of Eritrea's repeated requests to the Monitoring Group to acknowledge the errors it had made, the Monitoring Group has to date refused to set the record straight and take the appropriate remedial action. That the Monitoring Group is in cahoots with United States authorities is a well-known fact and reinforced by the statement of the United States Ambassador to the United Nations when she stated that "the United States will work with the Monitoring Group on Somalia and Eritrea and the Sanctions Committee regarding Somalia and Eritrea to develop voluntary guidelines for companies from the United States and other Member States". One also recalls that it was this same Ambassador who confided to Ethiopia's Prime Minister that she would be pushing for "a stand-alone sanctions resolution" against Eritrea, separate from resolutions 1844 (2008) and 1862 (2009), in early 2009 (WikiLeaks documents).

In view of these facts, Eritrea calls on the Security Council to revamp the mandate, constitution and composition, and working methods of the Monitoring Group to ensure that its individual members operate within the bounds of legality, impartiality, objectivity and professional integrity. In Eritrea's view, considerations of objectivity and neutrality demand that members of the Monitoring Group should not have political or business affiliations with the principal countries that harbour hostile agendas against Eritrea. Even from the outset, a balanced composition of the Monitoring Group that draws members from countries outside the circle of plaintiffs would have enhanced its neutrality and credibility. In addition, the Monitoring Group's ground rules of information collection and verification require further scrutiny and clarity to ensure that truth does not become a casualty of political manipulation, as has been largely the case with previous reports of the Monitoring Group. In the polarized regional environment and state of unremitting United States hostility that Eritrea finds itself, one can easily imagine the litany of unfounded allegations that will be taken as truth if the validation process consists of accusations from two or more sources that are corroborated by others in the same circle. This was, unfortunately, the case in the past with the reports of the "Somalia Eritrea Monitoring Group". Eritrea further notes that the majority of the countries that supported resolution 2023 (2011) invoked the report of the Monitoring Group in rationalizing their act. The danger posed by this vicious circle is therefore crystal clear.

Eritrea's appeal, of course, remains the full annulment of resolutions 1907 (2009) and 2023 (2011), as they represent a political agenda of principally the United States and Ethiopia. In the case of resolution 2023 (2011) in particular, the co-sponsors of the resolution, Gabon and Nigeria, have openly admitted that they have no direct familiarity with the situation at hand and have only acted at the behest of the Intergovernmental Authority on Development (IGAD), which

unfortunately has been instrumentalized to serve exogenous interests, as well as the report of the Monitoring Group. This can only raise serious questions about the legal appropriateness and validity of the charges that Eritrea is accused of. Thus, as Eritrea calls for full redress, it emphasizes in the meantime that the expansion of the mandate of the Monitoring Group described in paragraph 16 of resolution 2023 (2011) will not serve the interests of justice and fairness unless and until all the points raised above are adequately addressed by the Security Council. The unhidden wishes of the architects of resolution 2023 (2011) are in fact to create exacerbating conditions so that Eritrea would be entangled in a spiral of escalating sanctions. But the majority of Security Council members have warned, in their statements before the vote, against this apparent trend, which is not fair and does not serve the interests of regional peace and security.

In this light, Eritrea urges the Security Council:

(a) To establish an independent, impartial and credible body in place of the Monitoring Group, which has failed to garner the support of many members of the Security Council due to its lack of independence, professionalism, impartiality and objectivity, as well as its susceptibility to political influences;

(b) To review and annul the unwarranted measures and resolutions that are rooted in fabricated and groundless accusations with no basis in law and fact and that essentially emanate from misguided and hostile political objectives.

(*Signed*) Osman **Saleh**
Minister